

Senate File 304 - Reprinted

SENATE FILE 304
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SF 133)

(As Amended and Passed by the Senate March 20, 2013)

A BILL FOR

1 An Act concerning public safety by establishing a public safety
2 training and equipment trust fund, making appropriations
3 to the fund, providing for a public safety training and
4 facilities task force, and making appropriations.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 80B.11F Public safety training and
2 equipment trust fund.

3 1. A public safety training and equipment trust fund is
4 created in the state treasury under the control of the council.

5 2. The trust fund shall consist of moneys appropriated to
6 the department for placement in the fund pursuant to section
7 80B.11G, and any other devise, gift, bequest, donation, federal
8 or other grant, reimbursement, repayment, judgment, transfer,
9 payment, or appropriation from any source intended to be used
10 for the purposes of the trust fund. Of the moneys deposited in
11 the trust fund, an amount equal to ten percent of the moneys
12 deposited, or such lesser amount as determined by the council,
13 shall be allocated to a capital projects account for the
14 purposes of public safety training facility needs.

15 3. Moneys credited to the trust fund are not subject to
16 section 8.33 and shall not be transferred, used, obligated,
17 appropriated, or otherwise encumbered except as provided
18 in this section and for succeeding fiscal years shall
19 remain available for expenditure for purposes of the fund.
20 Notwithstanding section 12C.7, subsection 2, interest or
21 earnings on moneys deposited in the trust fund shall be
22 credited to the trust fund. Moneys shall not be appropriated
23 or expended from the trust fund until the first fiscal year
24 following the fiscal year in which the minimum balance of the
25 trust fund reaches eight million dollars.

26 4. *a.* Moneys in the trust fund shall be used for public
27 safety training costs incurred by the state or a political
28 subdivision of the state and for public safety personnel
29 equipment costs, excluding vehicles, incurred by the state or a
30 political subdivision of the state, subject to appropriation
31 by the general assembly. For purposes of this paragraph "*a*",
32 "*public safety training costs*" includes costs incurred by the
33 state in acquiring vehicles utilized for training. It is the
34 intent of the general assembly that all training costs incurred
35 by the state or a political subdivision be reimbursed from

1 moneys in the trust fund and that such remaining moneys in the
2 trust fund, less such amount needed for cash flow purposes of
3 the trust fund, be used to reimburse public safety personnel
4 equipment costs, excluding vehicles.

5 **b.** Moneys in the capital projects account of the trust
6 fund shall be used for public safety training facility needs,
7 subject to appropriation by the general assembly.

8 **Sec. 2. NEW SECTION. 80B.11G State appropriation — public**
9 **safety training fund.**

10 1. For purposes of this section, unless the context
11 otherwise requires:

12 **a.** *"Adjustment percent"* means as follows:

13 (1) For the 2017 through 2019 calendar years, one hundred
14 percent.

15 (2) For the 2020 calendar year, seventy-five percent.

16 (3) For the 2021 and subsequent calendar years, fifty
17 percent.

18 **b.** *"Applicable training fund amount"* means an amount equal to
19 the adjustment percent of the premium tax for a calendar year
20 that exceeds the premium tax receipts collected pursuant to
21 section 432.1, subsection 3, for calendar year 2013.

22 2. Beginning with the fiscal year commencing July 1, 2018,
23 and for each fiscal year thereafter, there is appropriated
24 from the general fund of the state to the department of
25 public safety to be credited to the public safety training and
26 equipment trust fund created in section 80B.11F, an amount
27 equal to the applicable training fund amount as calculated for
28 the most recently ended calendar year.

29 **Sec. 3. PUBLIC SAFETY TRAINING AND FACILITIES TASK FORCE.**

30 1. A public safety training and facilities task force is
31 established. The department of public safety shall provide
32 administrative support for the task force.

33 2. The task force shall consist of the following members:

34 **a.** One member appointed by the Iowa state sheriffs' and
35 deputies' association.

- 1 b. One member appointed by the Iowa police chiefs
2 association.
- 3 c. One member who is a fire fighter appointed by the Iowa
4 professional fire fighters association.
- 5 d. One member who is the administrator of the Iowa fire
6 service training bureau or the administrator's designee.
- 7 e. One member who is a representative of the fire service
8 who is not a fire chief appointed by the Iowa firefighters
9 association.
- 10 f. The director of the Iowa law enforcement academy or the
11 director's designee.
- 12 g. The commissioner of public safety or the training
13 coordinator of the department of public safety, as designated
14 by the commissioner.
- 15 h. The state fire marshal or the state fire marshal's
16 designee.
- 17 i. One member appointed by the Iowa state police
18 association.
- 19 j. One member who is a fire chief appointed by the Iowa fire
20 chiefs association.
- 21 3. The members of the task force shall select one
22 chairperson and one vice chairperson. The vice chairperson
23 shall preside in the absence of the chairperson. Section
24 69.16A shall apply to the appointed members of the task force.
- 25 3A. It is the intent of the general assembly in establishing
26 this task force that the task force develop a coordinated
27 plan amongst all public safety disciplines that would oversee
28 the construction of a consolidated fire and police public
29 safety training facility, provide for the establishment of a
30 governance board for the public safety disciplines and the
31 consolidated facility, and to establish a consistent and steady
32 funding mechanism to defray public safety training costs on an
33 ongoing basis.
- 34 4. The task force shall seek and consider input from all
35 interested stakeholders and members of the public and shall

1 include an emphasis on receiving input from fire service, law
2 enforcement, and emergency medical services personnel. The
3 task force shall consider and develop strategies relating to
4 public safety training facility governance with the goal of
5 all public safety disciplines being represented. Each public
6 safety discipline shall advise the task force by developing
7 individual training policies as determined by the discipline's
8 governing bodies. The task force shall also develop a proposal
9 for a joint public safety training facility, a budget for
10 construction and future operation of the facility, financing
11 options, including possible public-private partnerships, for
12 construction and operation of the facility, and potential
13 locations for the facility that are centrally located in this
14 state.

15 5. a. The task force shall provide interim reports to the
16 general assembly by December 31 of each year concerning the
17 activities of the task force and shall submit its final report,
18 including its findings and recommendations, to the general
19 assembly by December 31, 2016.

20 b. The final report shall include but not be limited to
21 recommendations concerning the following:

22 (1) Consolidation of public safety governance within a
23 single board and the membership of the board. Board duties
24 would include overseeing the construction and maintenance of a
25 consolidated fire and police public safety training facility.

26 (2) Development of a consolidated fire and police public
27 safety training facility, including possible locations,
28 building recommendations, and financing options.

29 (3) The distribution of moneys from the public safety
30 training and equipment trust fund created in section 80B.11F.
31 In addition, consideration of the balance of moneys in the
32 trust fund created in section 80B.11F necessary to pay for
33 ongoing public safety training costs from the fund.

34 (4) Any other recommendations relating to public safety
35 training and facilities requirements.

1 Sec. 4. FUTURE REPEAL. This Act is repealed effective June
2 30, 2018.

3 Sec. 5. PUBLIC SAFETY TRAINING AND FACILITIES TASK FORCE —
4 ADMINISTRATIVE SUPPORT. There is appropriated from the general
5 fund of the state to the department of public safety for the
6 fiscal year beginning July 1, 2013, and ending June 30, 2014,
7 the following amount, or so much thereof as is necessary, to be
8 used for the purposes designated:

9 For providing administrative support for the public safety
10 training and facilities task force as enacted in this Act:

11 \$ 50,000

12 Notwithstanding section 8.33, moneys appropriated in this
13 section that remain unencumbered or unobligated at the close of
14 the fiscal year shall not revert but shall remain available for
15 expenditure for the purposes designated until the close of the
16 fiscal year that begins July 1, 2016.